

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FREDERICK FISHER,

Plaintiff(s),

v.

Case No. 03-CV-71804-DT

PATRICIA CARUSO, et al.,

Defendant(s).

FREDERICK FISHER,

Plaintiff(s),

v.

Case No. 06-CV-11110-DT

PATRICIA CARUSO, et. al.,

Defendant(s).

ORDER OF CONSOLIDATION AND DISMISSAL

On February 27, 2007, the court conducted a telephone conference with counsel for Case Number 03-CV-71804. Counsel agreed that consolidation of the above-related cases would be appropriate because the cases involve common questions of law or facts and in light of Sixth Circuit authority regarding exhaustion rules that the United States Supreme Court recently overturned in *Jones v. Bock*, ___ U.S. ___, 127 S.Ct. 910 (2007). Additionally, appointed counsel agreed to take additional responsibility for the later-filed retaliation claims in Case Number 06-CV-11110. Therefore, the above-captioned cases should be consolidated as companion cases. Accordingly,

IT IS ORDERED that these cases are consolidated in accordance with Federal

Rule of Civil Procedure 42(a). All pleadings are to be docketed on Case No. 03-CV-71804-DT.

IT IS FURTHER ORDERED that Case Number 06-11110 is DISMISSED for statistical and administrative purposes.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: February 28, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 28, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522